

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES R. SCHULTZ,

Plaintiff,

v.

Warden PUGH, Security Director RICHARDSON,
Captain KASTEN, Correctional Officer ERIC JOHNSON,
Correctional Officer JOHN SEVERSON, Correctional Officer DeMARS,
MILBECK and Lt. HOOVER,

Defendants.

ORDER

10-cv-581-bbc

Plaintiff James Schultz, a prisoner at the Stanley Correctional Institution, is proceeding on various claims against defendants, including a claim that defendants Milbeck and Lt. Hoover punished him because of his involvement with Piety Global International, Inc. Defendants have filed an amended answer, and a preliminary pretrial conference is set for December 16, 2010. Now plaintiff has filed a motion asking the court to take judicial notice that (1) he “is registered as a Special agent member of Piety Global International, Inc.”; (2) he “is registered as a Judge, in the Islamic Court of Records of Jurisprudence; and (3) “[b]oth organizations and Plaintiff’s memberships are duly registered in accordance with International, United States, and Wisconsin Law.”

I will not take judicial notice of these proposed facts for two reasons. First, this case is not at a stage of the proceedings where it would make sense to take judicial notice of any facts, such as summary judgment or at trial. Second, the facts proposed by plaintiff are not indisputable. Hennessey v. Penril Datacomm Networks, Inc., 69 F.3d 1344, 1354 (7th Cir. 1995) (fact must be indisputable to be subject to judicial notice). When the time comes for plaintiff to present evidence, he will have to prove that these propositions are true. Accordingly, IT IS ORDERED that plaintiff's motion for the court to take judicial notice of his proposed facts, dkt. #18, is DENIED.

Entered this 2d day of December, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge